

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TYRONE P. JAMES,	:	
	:	
Plaintiff	:	
	:	No. 1:CV-01-1015
v.	:	
	:	(Judge Kane)
YORK COUNTY POLICE	:	(Magistrate Judge Mannion)
DEPARTMENT; AGENT JAMES H.	:	
MORGAN; DET. RICHARD	:	Electronically Filed
PEDDICORD; DET. RAYMOND E.	:	
CRAUL; SGT. GENE FELS; DET.	:	
ANTHONY GLOWCZEWSKI; AGENT	:	
RANDY SIPES; DET KESSLER; and	:	
AGENT BRIAN WESTMORELAND,	:	
:	:	
Defendants :		

**MOTION OF DEFENDANTS MORGAN, WESTMORELAND,
PEDDICORD, CRAUL, GLOWCZEWSKI, KESSLER AND FELS FOR
SUMMARY JUDGMENT**

Defendants Morgan, Westmoreland, Peddicord, Craul, Glowczewski, Kessler And Fells, through their counsel and pursuant to Federal Rule of Civil Procedure 56, hereby move for the entry of summary judgment on the grounds that material facts are not in dispute and Defendants are entitled to judgment as a matter of law. In support of their Motion, Defendants rely upon the supporting brief, Statement of Material Facts and exhibits, all of which are filed contemporaneously with this motion.

CONCLUSION

WHEREFORE, summary judgment should be granted in favor of Defendants.

Respectfully submitted,

GERALD J. PAPPERT
Attorney General

By: s/Jason C. Giurintano
JASON C. GIURINTANO
Deputy Attorney General
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Date: April 13, 2004

SUSAN J. FORNEY
Chief Deputy Attorney General
Chief, Litigation Section

Counsel for Defendants

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ANTHONY GLOWCZEWSKI; AGENT	:	
RANDY SIPES; and AGENT BRIAN	:	
WESTMORELAND,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I, Jason C. Giurintano, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on April 13, 2004, I caused to be served a true and correct copy of the foregoing document entitled Defendants Motion for Summary Judgment by depositing same in the United States Mail, first-class postage prepaid to the following:

Tyrone P. James, EX-9451
SCI Rockview, P.O. Box A
Bellefonte, PA 16823

Donald L. Reihart
3015 Eastern Boulevard
York, PA 17402-3026

s/Jason C. Giurintano
JASON C. GIURINTANO
Deputy Attorney General